

## SERVICE CONTRACT NOTICE

### CPF III 2017-07 Establishment of the Regulatory Database in Services Sectors

#### 1. Procedure

Competitive negotiated procedure by notification with publication on the CEFTA Secretariat website

#### 2. Financing

CEFTA Project Facility (*pending signature of the extension of Grant Contract CN 2015/356 338 with the EC*)

#### 3. Contracting Authority

CEFTA Secretariat

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## CONTRACT SPECIFICATION

#### 4. Nature of contract

Global price

#### 5. Contract description

The Consultant is expected to create Database based on the individual Party's regulation which would be verified by the Parties and liaise with CEFTA Secretariat, WTO and World Bank for consultation on revision or completion of answers if necessary. The Consultant is expected to compile answers on detailed questionnaire in selected services sectors. The questionnaire is provided by the CEFTA Secretariat. The Consultant's participation at the meetings of the Subcommittee on Trade in Services is also envisaged.

#### 6. Maximum budget

EUR 100,000

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## CONDITIONS OF PARTICIPATION

#### 7. Eligibility

Participation is open to all natural persons who are nationals of and legal persons [participating either individually or in a grouping (consortium) of tenderers] which are effectively established in a Member State of the European Union or in a eligible country or territory as defined in Annex a2a of the PRAG Practical Guide, for IPA II instrument available on the following link: <http://ec.europa.eu/europeaid/prag/annexes.do?group=A>

## 8. Number of tenders

No more than one tender can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting a tender). In the event that a natural or legal person submits more than one tender, all tenders in which that person has participated will be excluded.

## 9. Grounds for exclusion

As part of the tender, tenderers must submit a signed declaration, included in the tender form, to the effect that they are not in any of the exclusion situations listed in Annex VIII to the draft contract.

## 10. Sub-contracting

Subcontracting is not allowed.

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## PROVISIONAL TIMETABLE

### 11. Provisional commencement date of the contract

November/December 2017

### 12. Implementation period of the tasks

8 months (*pending signature of the extension of Grant Contract CN 2015/356 338 with the EC*)

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## SELECTION AND AWARD CRITERIA

### 13. Selection criteria

The following selection criteria will be applied to the tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole, if not specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

1) **Economic and financial capacity of the tenderer** (based on item 3 of the tender form).

In case of tenderer being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three years for which accounts have been closed.

2) **Professional capacity of the tenderer** (based on items 4 of the tender form).

The reference period which will be taken into account will be the last three years from submission deadline.

2) **Technical capacity of candidate** (based on items 5 and 6 of the tender form).

The reference period which will be taken into account will be the last five years from submission deadline.

Previous experience which would have led to breach of contract and termination by a Contracting

Authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing a commitment on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility - notably that of nationality - and must fulfil the same relevant selection criteria as the economic operator. With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required. With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

#### **14. Award criteria**

Best price-quality ratio.

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## **TENDERING**

#### **15. Deadline for receipt of tenders**

The deadline for receipt of tenders is specified in point 8 of the Instruction to Tenderers.

#### **16. Tender format and details to be provided**

Tenders must be submitted using the Tender submission form, Part D of the tender dossier, the format and instructions of which must be strictly observed.

The tender must be accompanied by a Declaration on honour on exclusion and selection criteria using the format in Annex VIII to the draft contract.

Any additional documentation (brochure, letter, etc.) sent with a tender will not be taken into consideration.

#### **17. How tenders may be submitted**

Tenders must be submitted in English exclusively to the Contracting Authority, using the means specified in point 8 of the Instructions to Tenderers.

Tenders submitted by any other means will not be considered.

By submitting a tender, tenderers accept to receive notification of the outcome of the procedure by electronic means.

#### **18. Alteration or withdrawal of tenders**

Tenderers may alter or withdraw their tenders by written notification prior to the deadline for submission of tenders. No tender may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with point 8 of the Instructions to Tenderers.

**19. Operational language**

All written communications for this tender procedure and contract must be in English.

**20. Legal basis**

Grant Contract External Actions of the European Union CN 2015/356-738 under IPA II.

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